

IAP13 Rec'd PCT/PTO 12 DEC 2006

Docket No.: 64301(46590)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Toshihiro Yamamoto et al.

Application No.: 10/552,340

Confirmation No.: 9448

Filed: October 6, 2005

Art Unit: N/A

For: SPECIFIC NAD(P)H OXIDASE INHIBITOR

Examiner: Not Yet Assigned

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated October 23, 2006, Applicant respectfully submits a Declaration for Patent Application and copy of the notification.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 64301(46590). A duplicate copy of this paper is enclosed.

Dated: December 12, 2006

Respectfully submitted,

By Kathryn A. Piffat, Ph.D.
Kathryn A. Piffat, Ph.D., Esq.
Registration No.: 34,901
EDWARDS ANGELL PALMER & DODGE LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 439-4444
Attorneys/Agents For Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|--|------------------------|--------------------|
| | | Application Number | 10/552,340 |
| | | Filing Date | October 6, 2005 |
| | | First Named Inventor | Toshihiro Yamamoto |
| | | Art Unit | N/A |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | | Attorney Docket Number | 64301(46590) |

ENCLOSURES (Check all that apply)

| | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notificaiotn of Missing Requirements Executed Declaration and Power of Attorney |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Landscape Table on CD | |
| <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | EDWARDS ANGELL PALMER & DODGE LLP | | |
| Signature |  | | |
| Printed name | Kathryn A. Piffat, Ph.D., Esq. | | |
| Date | December 12, 2006 | Reg. No. | 34,901 |

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 892 899 655 US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on December 12, 2006
Date


Signature
Sharon Bizokas

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter (1 page)
Second Preliminary Amendment (4 pages)
Response to Notification Of Missing Requirements Under 35 U.S.C. 371
In The United States Designated/Elected Office (DO/EO/US) (1 page)
Copy of the Notification of Missing Requirements (2 pages)
Executed Declaration and Power of Attorney (4 pages)

DGC/JBA

64301 (46590)

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/552,340

FIRST NAMED APPLICANT

Toshihiro Yamamoto

ATTY. DOCKET NO.

64301 (46590)

INTERNATIONAL APPLICATION NO.

PCT/JP04/05065

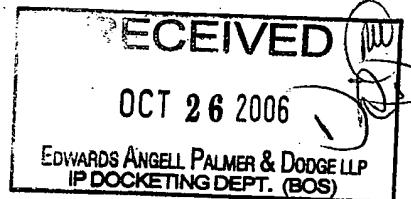
I.A. FILING DATE

04/08/2004

PRIORITY DATE

04/08/2003

21874
 EDWARDS & ANGELL, LLP
 P.O. BOX 55874
 BOSTON, MA 02205



CONFIRMATION NO. 9448
 371 FORMALITIES LETTER



OC000000020927180

Date Mailed: 10/23/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/06/2005
- Copy of the International Search Report filed on 10/06/2005
- Preliminary Amendments filed on 10/06/2005
- Information Disclosure Statements filed on 01/06/2006
- U.S. Basic National Fees filed on 10/06/2005
- Priority Documents filed on 10/06/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

**SEE
 OTHER SIDE**

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/552,340 | PCT/JP04/05065 | 64301 (46590) |

FORM PCT/DO/EO/905 (371 Formalities Notice)